

CONSERVATION COMMISSION

REGULAR MEETING NOVEMBER 17, 2009

E. CURTIS AMBLER ROOM

These minutes are not verbatim, but represent a summary of major statements and comments. For minutes verbatim, refer to audiotape on file in the Office of the Town Clerk. Audiotapes are retained for the minimum period required under the retention schedule as provided under Connecticut Law.

Chairman Block called the roll call at 7:00 p.m. and noted Commissioners Igielski and Pappa were present. Also present were Alternates Harlow, Turgeon and Zelek and Mr. Anthony Ferraro, Town Engineer.

NOTE: Chairman Block designated that Alternate Harlow would vote for Commissioner Beyer, Alternate Turgeon would vote for Commissioner Shapiro and Alternate Zelek would vote for Commissioner Forte.

ITEM III

ACCEPTANCE OF MINUTES

Regular Meeting of October 20, 2009

Motion made by Commissioner Igielski to accept the minutes as submitted and was seconded by Alternate Turgeon. There was no discussion. Vote was 5 yes, 0 no, 1 abstention (Harlow) and the motion was carried.

ITEM IV

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Marge Banach, 145 Starr Avenue entered the following remarks into the record referring to the input the Commission may have in the decision making process relative to the 2020 Plan (of Conservation and Development):

- A. What is being done to preserve the natural resources within the Town?
- B. Residents are expressing a concern over (new) development (that could impact existing natural resources) and if it could be slowed down or brought to a halt.
- C. The Town needs to preserve open space land.
- D. Reference was made to a conference that was held last April in Middletown by the Connecticut Land Trust (listen to audio tape for details of her remarks).

Chairman Block entered the following remarks into the record:

- A. The Commission did participate in the proceedings and entered testimony into the record.
- B. The Town Planner gave a presentation of the “2020 Plan” to the Commission at the October 6th Special Meeting.
- C. The Commission has expressed concerns about open space and that (new) development look at the reusing of existing sites.
- D. The responsibility of the community is to make known to town government where its priorities lie.
- E. The Commission’s enforcement capacity is limited to the (Inland) Wetland (and Watercourses) Regulations.
- F. The Commission’s advisory capacity is limited to conservation matters (as outlined in the State Statutes).

ITEM V A

Application 2009-13, 340 Church Street

Mr. Craig Lackenbach, builder, and representing the applicant, Mr. Mike Kollasch (owner of the property), passed out a photo (showing the existing side of the house where the addition would be constructed) and a computer generated drawing (showing the house with the addition) to Commission members.

Mr. Lackenbach entered the following remarks into the record:

- A. The existing deck would be removed.
- B. A 12 foot by 24 foot addition on stilts would be constructed onto the existing structure.
- C. A new deck would be constructed under the new addition.

There was a general discussion among Commission members relating to the addition and the roof line shown on the computer drawing (listen to audio tape for details of the discussion).

Chairman Block asked for a delineation of the 100 foot upland review line? Mr. Anthony Ferraro, Town Engineer, reviewed the location of the line and noted the Town Map was used to define the wetland and upland review limits.

Mr. Lackenbach noted there would be no disruption to the regulated area except for the installation of the piers.

ITEM VI A

Application 2009-12, 549 Cedar Street, Bedrock Monitoring Wells

Mr. Dan Taylor, AECON (environmental consultant), and working with Mr. Patrick Haskell (representing the applicant) entered the following remarks into the record:

- A. This application is part of an ongoing ground water contamination study being conducted on the property per DEP.
- B. The work, which would take three (3) days (would be done at an intermittent watercourse on site) at the location shown on the plan.
- C. The proposal would be to install two (2) bed rock monitoring wells (at a depth of approximately forty [40] feet).

Chairman Block asked if the application was complete? Mr. Ferraro responded yes.

Motion made by Commissioner Igielski that based on the information before it, the Commission make a finding of fact that a public hearing is not necessary for Application 2009-12 because the proposed activities would not have a major impact or significant effect on the regulated areas. Motion seconded by Alternate Zelek.

Alternate Harlow stated on the record that he had reviewed the minutes and the plan and therefore would be voting on the matter.

Vote was 6 yes, 0 no and the motion was carried.

Mr. Ferraro passed out a list of suggested conditions for consideration by Commission members.

Motion made by Commissioner Pappa to grant a permit by Summary Ruling for Application 2009-12 and subject to conditions. Motion was seconded by Alternate Zelek.

Commissioner Igielski noted that suggested conditions were passed out, whereas: the motion refers to passed out conditions.

Alternate Zelek noted the motion included Standard Conditions 1 through 7 and 18 and Special Conditions a, b, c and d.

Vote was 6 yes, 0 no and motion was carried.

NOTE: Refer to audio tape or "Official Notification of Action" for conditions of the permit.

Commission went into recess at 7:30 p.m.

Commission came out of recess at 7:35 p.m.

ITEM VI B

Inland and Watercourses Regulations-Revisions to Standard Conditions

Mr. Ferraro passed out an up dated “Draft Copy” of the Regulations dated October 20, 2009. He noted the revisions were limited to Section 11.10.a (Page 16) and Section 11.10.b (Page 17).

Mr. Ferraro noted that he was recently advised by DEP that its administrative fee for a new permit was raised from \$30 to \$60 (Page 26). This change should also now be incorporated into the Regulations.

Motion made by Alternate Zelek to accept the updated “Draft Copy” of the Regulations dated October 20, 2009 together with the inclusion of increasing the DEP administrative fee for a new permit from \$30 to \$60 (Page 26) and was seconded by Alternate Harlow. There was no discussion. Vote was 6 yes, 0 no and the motion was carried.

Commissioner Igielski noted that a copy of the accepted “Draft Copy” of the Regulations with the inclusion of the DEP fee change should be sent to the Town Attorney and DEP for comment to be followed for a call for a public hearing by the Commission.

ITEM VII

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

ITEM VIII

COMMUNICATIONS AND REPORTS: NONE

Motion made by Commissioner Igielski to adjourn meeting at 7:45 p.m. and was seconded by Commissioner Pappa. There was no discussion. Vote was 6 yes, 0 no and motion was carried.

Peter M. Arburr, Recording Secretary

Commission Members
Tayna Lane, Town Clerk
Town Manager John Salamone
Edmund Meehan, Town Planner
Councilor Myra Cohen
Chairperson, Town Plan and Zoning Commission
Anthony Ferraro, Town Engineer
Ben Ancona Jr., Esquire, Town Attorney
Lucy Robbins Wells Library (2)